	Application No.	Applicant(s)
Notice of Allowability	09/805,950	SENIOR, RODNEY
	Examiner	Art Unit	
	Rob Rhode	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *9/27/05*.

2. ☒ The allowed claim(s) is/are <u>6 - 18 & 21 - 25</u>. *19 and 20 are cancelled*

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
        Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

Response to Amendment

Response to amendment received on 9/27//2005 is acknowledges and entered. Currently,

claims 6 - 25 have been examined. Claims 1 – 5 have been canceled.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Mr. Dowell on November 23, 2005.

The application has been amended as follows:

In the Specification

Please amend the specification by inserting the following paragraph before line 1 of page 20 as follows:

As shown in Figs. 5-11, when a purchaser has been authorized to access the purchasing data base of the invention, the purchaser is prompted not only to make various purchases by selection of a "BUY" option but is also prompted to indicate where purchased products are to be redeemed. As shown in Fig. 5, redemptions of purchases are selected from a plurality of different price zones across a given country or geographic area, such as different towns. At the time of purchase, the purchaser selects a price zone where the product is to be redeemed. The purchaser is also prompted to take other actions by selecting other options on the data base display. Such other options include; converting purchases between price zones by selecting the "CONVERT ZONE" option on the system display, transferring purchases to another entity by selecting the "TRANSFER" option, obtain transaction information relative to the purchasers account by selecting the "Transaction HISTORY" option, checking the account balances by selecting the "My Balance DETAILS" option, change purchaser profile information by selecting the "CHANGE Profile" option, and request information on location of redemption stations by selecting the "STATION Locator" option of the purchasing data base display of the invention.

In the Drawings

Please replace Figure 11 with the updated and attached Figure 11.

In the Claims

Claims 6 – 18 and 21 - 25 have been rewritten as follows:

1 – 5 canceled

6. (currently amended) A method of electronically transacting the purchase of a commodity,
which comprises:

a) providing an electronic system for purchasing commodities over a communication
network and which system includes a computer database containing commodity information
concerning at least one product or service which may be purchased at a current time purchase
price, and which purchase price is locked-in at time of purchase, for at least partial consumption
or use at a future date;

b) electronically pre-registering a purchaser including obtaining credit approval for
deferred payment and providing the purchaser with a unique secure access code and authorizing
the purchaser to purchase a quantity of commodity from the electronic system and;

c) ~~the purchaser~~ electronically accessing the electronic system ~~the~~ by said purchaser and,
upon verification of ~~the~~ said purchaser's unique secure access code, ~~the~~ said purchaser selecting
and purchasing from ~~the~~ said computer database a quantity of a selected commodity at the
current time purchase price reflected in ~~the~~ said computer database for redemption of at least a
portion of the quantity of the commodity purchased at a future date at the locked-in purchase
price to thereby ensure that the quantity of commodity purchased is not subject to future market
price fluctuations and creating a quantity credit account in ~~the~~ said computer database for the
commodity purchased;

d) storing data in ~~the~~ said computer database for the quantity credit account in an

electronically accessible format; and

e) subsequently, at a point of redemption, electronically accessing ~~the~~ said computer

database by said purchaser and entering said unique secure access code and thereafter redeeming

at least a portion of the quantity of the commodity previously purchased and adjusting the

quantity credit account to reflect the portion of the quantity of commodity purchased that has

been redeemed, wherein said purchaser is able to purchase a selected quantity of at least one

commodity by selecting and purchasing a quantity of a commodity in one of a plurality of

different geographical price zones as identified within said computer database; and wherein said

purchaser is able to purchase a selected quantity of at least one commodity includes said

purchaser being able to convert quantities of commodity purchased between said plurality of

different geographical price zones.

7. (previously presented) The method of claim 6 wherein at least a portion of the quantity of the

commodity purchased is electronically transferred in the computer database by the purchaser in

order to be redeemed by another entity.

8. (previously presented) The method of claim 6 wherein the redeeming is performed at a

plurality of locations.

9. (previously presented) The method of claim 6 wherein the computer database includes a

plurality of commodities and the purchaser purchasing discrete quantities of commodities for

future redemption and adjusting the quantity credit account to reflect said purchases and

redemptions.

10. (previously presented) The method of claim 6 wherein the purchasing and redeeming steps

are performed over a computer network.

11.   (previously presented) The method of claim 6 wherein at least one commodity is a brand

name commodity and the purchasing and redeeming steps are effected with the same brand name

of the commodity.

12.   (currently amended) A method of electronically transacting the purchase of a commodity,

which comprises the steps of:

        a) accessing a computer database of commodity information which may be purchased by

a purchaser at a current time locked-in purchase price and pre-registering ~~the~~ said purchaser to

authorize ~~the~~ said purchaser to purchase quantities of commodities for redemption of at least a

portion of the quantities purchased at a future date, providing ~~the~~ said purchaser with a unique

secure access code and thereafter ~~the~~ said purchaser selecting and purchasing a quantity of a

selected commodity at a ~~real~~ current time purchase price reflected ~~on the~~ in said computer

database to thereby ensure that the quantity of commodity purchased is not subject to future

market price fluctuations and creating a quantity credit account for the commodity purchased;

b) separating said quantity credit account into discrete purchase blocks in the computer

database, each block representing a different purchase made at locked-in then current time

purchase prices;

c) storing data for the quantity credit account in ~~the~~ said computer database in an

electronically accessible format;

d) subsequently accessing <u>by said purchaser</u> said stored quantity credit account data in

~~the~~ <u>said</u> computer database in order to receive authorization to redeem and subsequently

redeeming in physical form at least a portion of the commodity previously purchased and

reflected in the quantity credit account for said commodity; and e) thereafter, adjusting the

quantity credit account to reflect the quantity of the commodity redeemed, , <u>wherein said</u>

<u>purchaser is able to purchase a selected quantity of at least one commodity by selecting and</u>

<u>purchasing a quantity of a commodity in one of a plurality of different geographical price zones</u>

<u>as identified within said computer database; and wherein said purchaser is able to purchase a</u>

<u>selected quantity of at least one commodity includes said purchaser being able to convert</u>

<u>quantities of commodity purchased between said plurality of different geographical price zones</u>.

13.(currently amended) An electronic purchasing system for transacting the purchase of a

commodity, which comprises:

a) a computer database including means for providing commodity information including

a current time purchase price of at least one commodity that may be purchased at the current

time purchase price for at least partial redemption at a future date regardless of price fluctuations

in the commodity market price since a time of the purchase;

b) means for pre-registering a purchaser and providing ~~the~~ said purchaser with a unique

secure access code so that ~~the~~ said purchaser is authorized to make purchases from ~~the~~ said

computer database of a quantity of said at least one commodity provided in ~~the~~ said computer

database;

c) means for ~~the~~ said purchaser to purchase a selected quantity of at least one commodity

provided in ~~the~~ said computer database and means for establishing and maintaining a quantity

credit account with respect to quantities of a commodity purchased at the current time purchase

price by ~~the~~ said purchaser and for authorizing redemption of at least a portion of the quantities

of commodities purchased at a future day; and

d) a commodity redemption module interfacing with said computer database for

authorizing redemption <u>by said purchaser,</u> in physical form of at least a portion of the quantities

of commodities within said quantity credit account; <u>wherein said means for ~~the~~ said purchaser to</u>

<u>purchase a selected quantity of at least one commodity includes means for selecting and</u>

<u>purchasing a quantity of a commodity in one of a plurality of different geographical price zones</u>

<u>as identified within said computer database; and wherein said means for ~~the~~ said purchaser to</u>

purchase a selected quantity of at least one commodity includes means for converting quantities of commodity purchased between said plurality of different geographical price zones.

14. (previously presented) The system of claim 13 including means within said computer database to permit at least a portion of a quantity purchased by the purchaser to be redeemed by a different entity.

15. (previously presented) The system of claim 13 wherein the means for the purchaser to purchase includes a computer server which is connected to said computer database.

16. (currently amended) The system of claim 13 wherein the computer database includes a plurality of commodity descriptions and ~~real~~ current time current pricing information with respect thereto.

17. (previously presented) The system of claim 13, wherein said means for the purchaser to purchase includes an Internet browser.

18. (previously presented) The system of claim 15, wherein said computer server is electronically connected to a point-of-sale.

19. canceled

20. canceled

21. (previously presented) The system of claim 13 wherein the commodity redemption module is operable in conjunction with an encoded access device.

22. (previously presented) The system of claim 21 wherein said encoded access device is a magnetic memory device.

23. (currently amended) The system of claim 13 further comprising:

e) a means for separating said quantity credit account into discrete purchase blocks, each block representing a different purchase made at a different locked-in current time purchase price, and

f) a means for combining data in said purchase blocks to provide a weighted average purchase value of same commodities in said quantity credit account in a format that can be compared with current market prices for the same commodities.

24. (previously presented) The system of claim 13 further including means for the purchaser to view and print transaction histories and account balances contained in said quantity credit account.

25. (previously presented) The system of claim 13 including means in said computer database to modify purchaser contact information and information concerning a profile of the purchaser and to modify the unique secure access code of the purchaser.

Reasons for Allowance

The invention claimed in the independent claims are distinguished from prior art of record, which contains no teachings or suggestions that would have motivated one of ordinary skill in the art to modify the method and system disclosed by Nicholson with the method and system of Chen and Zicker to have enabled a method and system for the subject matter recited in independent claims 6, 12 and 13. To begin with, Nicholson discloses a method and system for cross-selling products and increasing fuel sales as well the capability for purchasing future quantities of fuel at today's prices Moreover, Nicholson discloses a method and system that provides a coded token for the redemption of fuel purchased for future use at today's price. Chen on the other hand discloses a method and system for bidding/purchasing by buyers on meals at current prices for redemption at a later date. In addition, Chen discloses a method and system that includes a registration module. In turn, Zicker discloses a method and system for multi mode, personal wireless communication system with pico cells that includes the capability to purchase a service package that provides for local use pricing zones. However, Nicholson does not disclose a pre-registration prior to purchase a quantity of a commodity to obtain a secure access code for establishing quantity credit account to be used for future redemption, with corresponding credit check as well as the capability to purchase quantities of a commodity in different geographic price zones nor converting quantities between zones. Chen does not disclose

a method and system for secure access code for accessing a quantity credit account as well as the

capability to purchase quantities of a commodity in different geographic price zones nor

converting quantities between zones. In turn, Zicker in non analogous art does not disclose a

method and system for pre-registration prior to purchase a quantity of a commodity to obtain a

secure access code for establishing quantity credit account to be used for future redemption, with

corresponding credit check as well as the capability to purchase quantities of a commodity in

different geographic price zones nor converting quantities between zones. In that regard, the

combined teachings of Nicholson, Chen and Zicker do not teach or suggest to one of ordinary

skill that the differences between the subject matter recited in independent claims 6, 12 and 13

and the prior art are such that the subject matter as whole would have been obvious at the time

the invention was made to a person having ordinary skill in the art. Therefore, the invention

claimed in independent claims 6, 12 and 13 are distinguished from prior art of record by the fact

that an electronic purchasing system for transacting the purchase of a commodity, which

comprises: pre-registering a purchaser and e) thereafter, adjusting the quantity credit account to

reflect the quantity of the commodity redeemed, , wherein said purchaser is able to purchase a

selected quantity of at least one commodity by selecting and purchasing a quantity of a

commodity in one of a plurality of different geographical price zones as identified within said

computer database; and wherein said purchaser is able to purchase a selected quantity of at least

one commodity includes said purchaser being able to converting quantities of commodity

purchased between said plurality of different geographical price zones.

Discussion of the most relevant prior art, which does not fully disclose nor render

obvious the invention as stated in claims 6, 12 and 13:

A. US Patents and PG-Pubs.

(i) US 6,778,967 B1 to Nicholson discloses a method and system for cross-selling products and

increasing fuel sales as well the capability for purchasing future quantities of fuel at today's

prices Moreover, Nicholson discloses a method and system that provides a coded token for the

redemption of fuel purchased for future use at today's price. However, Nicholson does not

disclose or teach or suggest to one of ordinary skill a method and system for an electronic

purchasing system for transacting the purchase of a commodity, which comprises: pre-registering

a purchaser and e) thereafter, adjusting the quantity credit account to reflect the quantity of the

commodity redeemed, , wherein said purchaser is able to purchase a selected quantity of at least

one commodity by selecting and purchasing a quantity of a commodity in one of a plurality of

different geographical price zones as identified within said computer database; and wherein said

purchaser is able to purchase a selected quantity of at least one commodity includes converting

quantities of commodity purchased between said plurality of different geographical price zones.

Thereby, this online method, medium and system disclosed by Ellis fails to anticipate the above

bolded unique limitations or render them obvious.

(ii) US 6,741,969 B1 to Chen discloses a method and system for bidding/purchasing by buyers

on meals at current prices for redemption at a later date. In addition, Chen discloses a method

and system that includes a registration module. However, Chen does not disclose or teach or

suggest to one of ordinary skill a method and system for a method and system for an electronic

purchasing system for transacting the purchase of a commodity, which comprises: pre-registering

a purchaser and e) thereafter, adjusting the quantity credit account to reflect the quantity of the

commodity redeemed, , wherein said purchaser is able to purchase a selected quantity of at least

one commodity by selecting and purchasing a quantity of a commodity in one of a plurality of

different geographical price zones as identified within said computer database; and wherein said

purchaser is able to purchase a selected quantity of at least one commodity includes converting

quantities of commodity purchased between said plurality of different geographical price zones..

Thereby, this online method, medium and system disclosed by Chen fails to anticipate the above

bolded unique limitations or render them obvious.

B. Non Patent Literature

(iii) " Priceline.com adds gasoline to its lineup"; Priscilla Fusco; Austin American Statesman;

Austin, Tx; Feb 26, 2000 (hereafter referred to as "Priceline") discloses and teaches an ability to

pre-purchase up to 50 gallons of gasoline per month in which potential sellers will accept the

named price of the buyer. However, Priceline does not disclose or teach or suggest to one of

ordinary skill a method and system for an electronic purchasing system for transacting the

purchase of a commodity, which comprises: a method and system for an electronic purchasing

system for transacting the purchase of a commodity, which comprises: pre-registering a

purchaser and e) thereafter, adjusting the quantity credit account to reflect the quantity of the

commodity redeemed, , wherein said purchaser is able to purchase a selected quantity of at least

one commodity by selecting and purchasing a quantity of a commodity in one of a plurality of

different geographical price zones as identified within said computer database; and wherein said

purchaser is able to purchase a selected quantity of at least one commodity includes converting

quantities of commodity purchased between said plurality of different geographical price zones.

Thereby, this online method and system disclosed by Priceline fails to anticipate the above

bolded unique limitations or render them obvious.

C. Foreign Patent Literature

(iv) JP 410111985A to Uchiyama discloses a method and system for an electronic cash register

with a file for sale-by-time zones, which will total sales on quantities of items by time zone.

. However, Uchiyama does not disclose or teach or suggest to one of ordinary skill a method and

system for an electronic purchasing system for transacting the purchase of a commodity, which

comprises: a method and system for an electronic purchasing system for transacting the purchase

of a commodity, which comprises: pre-registering a purchaser and e) thereafter, adjusting the

quantity credit account to reflect the quantity of the commodity redeemed, , wherein said

purchaser is able to purchase a selected quantity of at least one commodity by selecting and

purchasing a quantity of a commodity in one of a plurality of different geographical price zones

as identified within said computer database; and wherein said purchaser is able to purchase a

selected quantity of at least one commodity includes converting quantities of commodity

purchased between said plurality of different geographical price zones. Thereby, this online

method, medium and system disclosed by Uchiyama fails to anticipate the above bolded unique

limitations or render them obvious.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Rob Rhode whose telephone number is 571.272.6761. The

examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wynn Coggins can be reached on 571.272.7159.

Any response to this action should be mailed to:

<div align="center">

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Alexandria, Va. 22313-1450

</div>

or faxed to:

571-273-8300 [Official communications; including
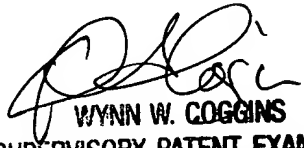
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RER

WYNN W. COGGINS
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Date	Description	Debits (Litres)	Credits (Litres)	Balance (Litres)
05 Sep 2000	Redeem @ 67.50¢ - 62 ESSA ROAD , BARRIE	10.000		130.000
01 Sep 2000	Redeem @ 67.50¢ - 8 KINGSTON RD E & HARWOOD, AJAX	10.000		140.000
01 Sep 2000	Purchase @ 66.30¢		40.000	150.000
31 Aug 2000	Purchase @ 66.30¢		10.000	110.000
29 Aug 2000	Transfer from GORD SMITH		20.000	100.000
28 Aug 2000	Redeem @ 67.50¢ - 202 BAYLY ST E, AJAX	10.000		80.000
28 Aug 2000	Transfer from GORD SMITH		10.000	90.000
16 Aug 2000	Transfer from JENNY BROWN		20.000	80.000
16 Aug 2000	Transfer from JENNY BROWN		40.000	60.000

FIG.11